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Ransom Deal Broke Law, U.S. Judge Says

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**Here's How
Choate
Feels:**

*'I Don't Think Anybody Would Deny
That the Framers of Our Constitution
Would Not Have Paid Ransom . . .'*

By AL BURT and KARL WICKSTROM

Of Our Latin America Staff

Federal Judge Emmett Choate declared Friday that U.S. citizens and companies who made "voluntary" gifts for the Cuban prisoner ransom violated U.S. law.

"If citizens made voluntary gifts for Castro, they've violated the Logan Act. There's no question about it," said the 72-year-old Republican judge in a hearing here.

He said there should be an investigation.

The Kennedy administration, the judge said, did not have the right to allow U.S. citizens to take part in the Castro ransom deal that freed 1,113 Cuban prisoners.

The 72-year-old Republican judge said he had "great doubts" about his jurisdiction, "but somebody should have the authority to find the facts."

He suggested that if he can't investigate, the Federal Grand Jury should.

Choate's criticism of the negotiations came during a hearing on a petition by Douglas Voorhees, a North

Miami realtor, to stop further payments to Cuba because it was "treason."

He dismissed the idea of treason, but added, "Cuba is a very hostile country. This does involve payment to a hostile country."

When the matter of U.S. involvement in the negotiations arose, Choate commented, "There's no question the government's in it."

Then he added: "The question here is does our executive branch have authority to pay tax money for ransom? The other question is should our citizens be permitted to finance Castro on a voluntary basis?"

"How would we stop this situation if it continues? This is a serious thing. It concerns everyone. It might endanger the whole country if it keeps up."

The judge added: "I don't think anybody would . . . Our Constitution would not have paid the ransom."